

## **ARIZONA EMS & TRAUMA SYSTEM LEGISLATION – A CONTINUING HISTORY OF PROGRESSIVE PUBLIC HEALTH POLICY**

### **LEGISLATION IN THE 1970S:**

HB 94 (1971) established immunity for persons serving on health care utilization committees.

HB 10 (1971) established the State Emergency Council and the Office of Emergency Services in the Governor's Office "to prepare for and coordinate those emergency services which may be required to reduce the impact of disaster on persons and property."

HB 2003 (1972) established the Division of EMS within the DPS, including the authority to adopt standards and procedures for ground and air ambulances, and certify ambulance drivers and attendants.

HB 2001 (1974) established programs for instruction and training of paramedics including classroom and didactic training, scope of practice, and civil liability protection of physicians and nurses issuing emergency instructions to paramedics in good faith.

HB 2337 (1978) established: the EMS Council, medical control responsibilities of the EMS medical director and EMS Council, liability protection from civil damages for health care providers who give emergency instructions to EMTs at the scene of emergencies, local EMS Coordinating Systems and authority for the ADHS to enter into agreements with the EMS Coordinating Systems, and defined EMT Basic, Intermediate, Paramedic, and Emergency Receiving Facility.

### **LEGISLATION IN THE 1980S:**

SB 1003 (1981) transferred the Division of EMS from the DPS to the ADHS.

SB 1059 (1982) granted the ADHS authority to regulate ambulance services.

HB 2179 (1983) established liability protection for cities or towns and their officers and employees, private fire or ambulance companies against civil or other damages from recipients of emergency medical aid unless the person providing the aid is guilty of gross negligence or intentional misconduct in rendering the emergency medical aid.

SB 1251 (1983) established the EMS Operating Fund.

HB 2195 (1983) established the Certificate of Necessity requirement for ground ambulance service licensing.

### **LEGISLATION IN THE 1990S:**

HB 2208 (1993) established: the Arizona State Trauma System Development Act of 1993, the Division of EMS as the lead agency for trauma system development, the confidentiality of trauma registry records, and the Statewide Trauma System Study Committee ("STSSC") to provide recommendations for the ADHS Director on developing an Arizona trauma system.

HB 2077 (1994) established: the State Trauma Advisory Board (STAB) to replace the STSSC, requirements for trauma centers to submit a uniform data set to ADHS, liability protection from civil damages for EMS or health care providers who in good faith provide pre-arrival instructions following minimum standards established by the State; and required the ADHS to establish standards for quality assurance/confidentiality of information during quality assurance review.

HB 2023(1995) granted the ADHS Director the authority to promulgate rules for regulating and licensing air ambulances.

SB 1060 (1996) mandated \$250,000 be appropriated from the BEMS Operating Fund for trauma system development and STAB operating expenses.

HB 2126 (1997) established liability protection from civil damages for individuals, private and public entities, and their employees involved in developing, operating, implementing or participating in a 911 emergency telephone system or a similar emergency dispatch system, except when "the person or entity acted knowingly or had reason to know the facts that would lead a reasonable person to realize that the person's or entity's act or failure to act not only created an unreasonable risk of bodily injury to others, but also involved a high probability that substantial harm would result."

HB 2653 (1998) established the three-digit emergency telephone number system to be administered and regulated by the Public Utilities Commission; and specifically reserving "911" for exclusive use as an emergency telephone number for accessing police, fire, and EMS.

HB 2475 (1999) established the Automatic External Defibrillator statute, including requirements for AED training, use, requirements, and civil liability protection, limited immunity, and a Good Samaritan provision.

### **LEGISLATION IN THE TWENTY-FIRST CENTURY:**

Proposition 202 (2002) created the Trauma and Emergency Services Fund to provide in part for the distribution of funds only to Level I trauma centers as defined.

HB 2197 (2004) amended A.R.S. § 36-2222 to require STAB's continued involvement in developing and implementing the EMS and trauma system and adding a tribal health organization representative; established authority for the ADHS to develop and administer the Statewide EMS and trauma system and the requirement for adopting rules to establish standards.

SB 1134 (2005) amended A.R.S. § 36-2225 by authorizing the ADHS to utilize a national verification organization to conduct trauma center verifications; and requiring trauma centers to submit data to the Arizona State Trauma Registry.

In 2005, the Governor's Regulatory Review Council unanimously approved trauma center designation rules, including trauma center standards, by adding Article 13 to A.A.C. Title 9, Chapter 25, taking immediate effect.

In 2006, the Governor's Regulatory Review Council unanimously approved air ambulance rules for the licensure, registration, and ADHS approval time-frames for air ambulance services in Arizona by amending A.A.C. Title 9, Chapter 25, adding Articles 7, 8, 12, taking effect April 8, 2006.

SB 1111 (May 2007) Amended, inter alia, A.R.S. § 36-104 certifying training on the nature of sudden infant death syndrome for use by firefighters and certified EMTs as part of basic continuing education requirement; and § 36-1162 concerning the powers and functions of the Arizona poison control system.

SB 1141 (April 2008) Amended A.R.S. § 36-2263 by: providing civil liability protection, limited immunity, and a Good Samaritan provision to specified physicians, trainers of CPR and AED use, persons or entities that acquire an AED as specified, property owners where AEDs are located, and trained responders as defined in A.R.S. § 36-2262 when acts or omissions do not amount to willful misconduct or gross negligence.

HB 2365 (April 2008) Amended A.R.S. §§ 36-2204, 36-2220, 36-2221, and 36-2222 concerning medical control of the EMS medical director and EMS Council; confidentiality of records and data, trauma centers and trauma registry data; the State Trauma Advisory Board.

HB 2408 (April 2008) Amended A.R.S. § 36-2223 concerning use and restrictions of stretcher vans and wheelchair vans when transporting persons.

HB 2399 (July 2009) Amended A.R.S. §§ 36-2261, 36-2262, 36-2263 by: defining AED, Defibrillation, Physician, Trained User, and Training; use and requirements for persons or entities that acquire an AED; providing civil liability protection, limited immunity, and a Good Samaritan provision to physicians who provide oversight and persons or entities that acquire or provide an AED as specified.

HB 2405 (April 2010) Amended A.R.S. § 36-2203 regarding establishing the EMS Council.